

CITY OF BEDFORD POINT OF SALE INSPECTION ORDINANCES

1309.01 ENFORCEMENT.

The provisions of this Building Code, including the Codes herein adopted, shall be enforced by the Building Commissioner or his authorized employees or agents. No person shall interfere with the Building Commissioner or Building Inspector while in the performance of their duties.

(Ord. 7215-00. Passed 3-6-00.)

1309.02 STOP ORDERS.

Upon notice from the Building Division that work on any building or structure is being done contrary to the provisions of this Building Code, or in a dangerous or unsafe manner, or in a manner which is inconsistent with the practices of good workmanship or the generally accepted standards of the industry, such work shall be immediately stopped. Such notice shall be in writing and shall state the reason for stopping the work and the conditions under which the work may be resumed, and such notice shall be delivered to the owner of the property, or to his agent, or to the person in charge of the work at the site.

(Ord. 7215-00. Passed 3-6-00.)

1309.03 REVOCATION OF PERMIT.

The Building Commissioner may revoke a permit or approval issued under the provisions of this Building Code in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

(Ord. 7215-00. Passed 3-6-00.)

1309.04 CIVIL ACTION.

Whenever any person, firm or corporation fails, neglects or refuses to comply with any order of the Building Division under the provisions of this Building Code, or whenever any building or other structure is used or occupied so as to be in violation of or not in conformity with any provision of this Building Code, the Building Commissioner may, in his discretion, institute and maintain in the name of the City an appropriate action at law or in equity to restrain the execution in violation of this Building Code, to prevent the occupation or use of such building or other structure and to prevent or terminate any violation of this Building Code.

(Ord. 7215-00. Passed 3-6-00.)

1309.05 REMEDIES CUMULATIVE.

The exercise of the rights and remedies granted in this Building Code shall in no way preclude or limit the City from exercising any other right or remedy now or hereafter granted to it under the laws of the State of Ohio or the ordinances of this City.

(Ord. 7215-00. Passed 3-6-00.)

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(Ord. 7215-00. Passed 3-6-00.)

1309.99 GENERAL PENALTY.

(a) Whoever violates any provision of this Building Code shall be guilty of a misdemeanor of the first degree, and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both, for each offense. Each day the violation exists shall be deemed a separate offense.

(b) In addition to any applicable fines or court costs, the court shall have the authority to impose an administrative fee of one hundred dollars (\$100.00) payable to the City of Bedford for each required court appearance involving any person, firm or corporation who is found guilty of violating disobeying, neglecting, omitting or refusing to comply with the provisions of this Building Code.

1311.01 TITLE; COMPOSITION.

(a) One, Two and Three Family Dwelling Code. These provisions of the Codified Ordinances of the City of Bedford shall be known as the Dwelling House Code of the City of Bedford pertaining to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every one, two and three family residential building or structure, any appurtenances connected or attached to such building or structure, and any accessory structure, may be cited as such, and will be referred to herein as "the code". No building or its equipment or accessories to which these rules apply shall be erected, constructed, or installed except in conformity with the rules contained herein.

(Ord. 7819-06. Passed 6-12-06.)

(b) This code shall be comprised of the following sections:

(1) Chapters one through forty three of the code entitled "The Residential Code of Ohio for One, Two and Three Family Dwellings, current edition as adopted by the State of Ohio, Board of Building Standards, along with the referenced editions of the National Electrical Code, Ohio Plumbing Code, and other referenced Codes and Standards.

(Ord. 9222-14. Passed 10-20-14.)

(2) Chapters one through eight of the code entitled "The International Property Maintenance Code", 2012 edition.

(Ord. 9238-15. Passed 1-20-15.)

(3) Administrative provisions of Chapter 1311 of the Codified Ordinances, and Sections 1321, 1323, 1327, 1329, 1333, 1339, 1341 and 1349 of the Bedford Building Code.

(c) Inspection and Sale of Copies: In accordance with Section 731.231 of the Ohio revised Code, a complete copy of Chapters one through forty three of the code entitled "The Residential Code of Ohio for One, Two and Three Family Dwellings, current edition as adopted by the State of Ohio, Board of Building Standards, along with the referenced editions of the National Electrical Code, Ohio Plumbing Code, and other referenced Codes and Standards; Chapters one through eight of the code entitled "The International Property Maintenance Code", 2003 edition; Administrative provisions of Chapter 1311 of the Codified Ordinances, and

Sections 1321, 1323, 1327, 1329, 1333, 1339, 1341 and 1349 of the Bedford Building Code, as adopted and amended herein shall be kept on file with the Clerk of Council of the City of Bedford, Ohio, 165 Center Road, Bedford, Ohio 44146, for public inspection and also on file in the Cuyahoga County law Library, Cuyahoga County Court House, Cleveland, Ohio. The clerk shall provide copies of The Residential Code of Ohio for One, Two and Three Family Dwellings, current edition as adopted by the State of Ohio, Board of Building Standards, along with the referenced editions of the National Electrical Code, Ohio Plumbing Code, and other referenced Codes and Standards; Chapters one through eight of the code entitled "The International Property Maintenance Code", 2003 edition; Administrative provisions of Chapter 1311 of the Codified Ordinances, and

Sections 1321, 1323, 1327, 1329, 1333, 1339, 1341 and 1349 of the Bedford Building Code to the public at cost. (Ord. 9222-14. Passed 10-20-14.)

1311.02 PURPOSE.

(a) Minimum Standards. The purpose of this code is to provide minimum standards of life, limb, health, property, and environment and for the safety and welfare of the consumer, the general public, and the owners and occupants of residential buildings or dwellings regulated by this code. It is also intended to establish minimum standards necessary to make all existing dwelling structures safe, sanitary, free from fire and health hazards, fit for human habitation and beneficial to the public welfare; to establish minimum standards governing the maintenance of dwelling structures in such condition as will not constitute a blighting or deteriorating influence on the neighborhood and the community; to fix responsibilities for owners and occupants of dwelling structures with respect to sanitation, repair and maintenance; to establish additional standards for multiple dwellings; to authorize the inspection of dwelling structures; to establish enforcement procedures; to authorize the vacation or condemnation of dwelling structures unsafe for human habitation and to fix penalties for violations.

(Ord. 7215-00. Passed 3-6-00.)

1311.03 SCOPE.

(a) Application. The provisions of this code shall be supplementary to other related ordinances of the City of Bedford and shall apply to the location, design, materials, construction, alteration, repair, equipment, use, occupancy, maintenance, removal and demolition of one, two and three family structures and their accessory structures.

1311.05 ENTRY.

(a) Authority to Enter. Upon presentation of proper credentials, the building official or his duly authorized representatives may enter at reasonable times any building, structure or premises in the jurisdiction to perform any duty imposed upon him by this code.
(Ord. 7215-00. Passed 3-6-00.)

1311.06 VIOLATIONS AND PENALTIES.

(a) Unlawful Action. It shall be unlawful for any person, firm or corporation whether as owner, lessee, sub-lessee or occupant to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any one, two or three family dwelling, structure or occupancy or to cause or permit the same to be done, contrary to or in violation of any provision of this code.

(b) Violations. It is hereby declared that any violation of this code constitutes a public nuisance, and in addition to any other remedies provided by this code for its enforcement, the City may bring civil suit to enjoin the violation of any of the provisions of this code.

(c) Partial Invalidity. If for any reason any one or more sections, sentences, clauses or parts of this code are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions.

(Ord. 7215-00. Passed 3-6-00.)

(d) Penalty. Any person, firm or corporation violating any of the provisions of this code or any rule or regulation promulgated hereunder, or who fails to comply with any written notice or written order issued hereunder, or who refuses to permit entry by the building official or his duly authorized representatives at a reasonable hour, and whoever interferes with, obstructs or hinders such building official while attempting to make an inspection or to enforce the provisions of this code shall be guilty of a misdemeanor of the first degree and, upon conviction thereof, shall be fined not more than one thousand dollars (\$1,000.00) nor imprisoned for a period exceeding six (6) months for each offense. Each day such a violation occurs or continues to occur shall be deemed a separate offense.

(Ord. 7668-04. Passed 1-3-05.)

1311.13 INSPECTIONS.

(a) General. The building official is authorized to make or to cause to be made inspection of all structures or premises used for dwelling purposes and all secondary or accessory structures to determine whether such structures or premises conform to the provisions of this code.

(b) Types of Inspections. For on-site construction, from time to time the building official, usually upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with this code. The building official may also choose to make random inspections at his discretion during the term of construction to review the work in progress and to verify that equipment and systems currently being installed comply with the provisions of this code. Such inspections shall be made at reasonable times during regular business hours.

(1) Foundation inspection. Commonly made after piers, trenches, or basement areas are excavated, forms erected, and any associated reinforcing steel is in place and ready for concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports or the support of certain equipment.

(2) Drain tile, waterproofing and damp proofing. Commonly made after all foundation walls are in place and footer drains have been installed but prior to backfilling any basement or foundation wall excavation.

(3) Plumbing, mechanical, and electrical inspections. Commonly made prior to covering or concealment, before any fixtures are installed, and before any insulation is installed. These rough inspections may be performed in conjunction with a framing inspection.

(4) Frame and masonry inspection. Commonly made after the roof, masonry, all framing, draftstopping or firestopping and bracing are in place, and either together with or following the rough inspections for plumbing, mechanical and electrical work.

(5) Insulation inspection. Commonly made after all wall and ceiling batt insulation is in place, including the sealing of all windows, doors and other penetrations. Insulation shall not be installed until all rough inspections are approved.

(6) Other inspections. In addition to the called for inspections listed above the Building Department may make or require any other inspections to ascertain compliance with this code and other laws and ordinances enforced by the Building Department.

(7) Final inspection. Commonly made after all work has been completed and the structure is ready for occupancy.

(c) Notice of Violation.

(1) Whenever the building official shall find any dwelling structure or premises or part thereof to be in violation of the provisions of the Housing Code, the building official shall give or cause to be given or mailed to the owner, agent, operator or contractor of such structure or premises a written notice stating the violation therein. Such notice shall include the section of the code that is being violated, the action required to bring the violation into compliance with this code, and a stated reasonable time (not less than ten (10) days) to repair, improve or demolish the structure or premises concerned. Such delivery or mailing shall be deemed legal service if notice.

(2) If the person to whom the notice of violation is addressed cannot be found within Cuyahoga County after a reasonable and diligent search, then notice shall be sent by registered mail to the last known address of such person, and a copy of such notice shall be posted in a conspicuous place on the structure or premises to which it relates. Such mailing and posting shall be deemed legal service of notice.

(d) Noncompliance with Notice.

(1) Whenever the owner, agent, operator, contractor or occupant of a structure or premises fails, neglects or refuses to comply with any notice of the building official, the building official shall issue a notice to such owner, agent, operator, contractor or occupant ordering the structure or premises, or part thereof, to be vacated within such time as shall be stated in such notice, but which shall not be less than ten (10) days, except in cases of emergency; or he may advise the Law Director of the circumstances and request the Law Director to institute an appropriate action at law to compel compliance, or both. Such notice shall be delivered, mailed or posed as described in subsection (c)(1) and (2).

(2) Whenever the owner, agent, operator, contractor, or occupant of a structure or premises fails, neglects or refuses to comply with notice to vacate issued by the building official, the building official may enforce the orders of such notice of vacation and cause the structure or premises, or part thereof, to be vacated in accordance with the terms of such notice.

(3) Whenever the owner, agent, or operator of a structure fails, neglects, or refuses to comply with a notice to demolish such structure, or part thereof, or a secondary or accessory structure, issued in accordance with this Housing Code, and when such structure is determined by the building official to constitute a public nuisance in that it is dangerous or injurious to the public health, safety or welfare the building official may request the Law Director to institute legal proceedings or to take such other action as may be necessary to abate the public nuisance.

(e) Cases of Emergency. Whenever, in the opinion of the building official, the condition of a structure or premises, or part thereof, constitutes an immediate hazard to human life or health, he shall declare a case of emergency and order immediate vacation of the structure or premises, or part thereof. Such notice shall be served in the manner provided in subsection (c)(1) and (2) but shall require immediate compliance.

(f) Placards. Whenever the building official orders a structure or premises, or part thereof, to be vacated, he shall cause to be posted at each entrance to such structure or premises, or part thereof, a placard ordering such vacation. No person shall deface or remove such placard until the repairs or demolition are completed, without the written permission of the building official. No person shall enter or use any structure or premises so placarded except for the purpose of making the required repairs or demolishing the structure or premises.

(g) Expenses and Costs. Any expense or cost incurred under the provisions for demolition contained in this Housing Code shall be paid by the owner of the structure or premises. If expenses and costs are not paid by the owner of such structure or premises within thirty (30) days after written notice from the City to do so, the expenses and costs may be recovered by an action at law or may be assessed against the lands of the owner and shall become a lien thereon, and shall be collected in the manner provided by law for assessments, or shall be collected in any other manner provided by law. (Ord. 7215-00. Passed 3-6-00.)

1311.18 CERTIFICATE TO BE FURNISHED BY SELLER.

No person shall sell or enter into an agreement to sell or convey by land contract or otherwise, any interest in any dwelling, building or structure as defined in the Zoning Code without furnishing the buyer, prior to such sale, a current Certificate of Inspection setting forth the authorized use of the dwelling, building or structure under the ordinances of the city and listing any code violations; and, when code violations still remain outstanding at the time of delivery of possession or transfer of title, an escrow shall be established, and there shall be deposited in that escrow both a statement from the buyer acknowledging receipt of the Certificate and an amount of money equal to 150% of the value of the work required to bring into compliance with city ordinances and codes all outstanding violations. However, a statement signed by both the seller and the buyer stating that the premises are undeveloped and contain no dwelling, building or structure may be deposited in escrow in lieu of documents and/or funds required herein.

(Ord. 7215-00. Passed 3-6-00.)

1311.19 RESPONSIBILITIES OF AGENTS.

No person acting in the capacity of an escrow agent, title agent, real estate agent, realtor, loan officer or other agent, on either a full or part-time basis, in any real estate transaction involving the sale of a dwelling, building or structure situated in the City of Bedford shall disburse any funds unless the provisions of Section [1311.08](#) have been complied with.
(Ord. 7377-01. Passed 6-4-01.)

1311.20 SELLER; NOTICE TO DIVISION OF BUILDING.

Any person acting in the capacity of real estate agent or broker or otherwise assisting buyers and sellers in real estate transactions shall notify the Bedford Division of Building when a parcel of land containing a dwelling, building or structure has been listed with such person, firm, or corporation for sale. Such notice shall be filed in writing with five (5) days of such listing and shall contain the address of the property, the name and address of the owner and the nature of the present use thereof.

(Ord. 7215-00. Passed 3-6-00.)

1311.21 ISSUANCE OF THE CERTIFICATE OF INSPECTION.

(a) The request for a Certificate of Inspection may be made in person at the Bedford Building Department or by telephone. Such request shall include information and date to determine compliance with applicable ordinances and codes concerning the existing use or occupancy and the intended use or occupancy of the premises. The building official may require the submission of an affidavit stating such information, and he shall thereafter cause a general inspection to be made.

(b) The general inspection shall include the review of two general types of violations:

(1) Conditions, usually found inside the dwelling or structure, which constitute a hazard to the life or health of the occupant including but not limited to:

A. Basement walls must be free of cracks, loose mortar and excessive dampness. Floors must be concrete in a generally dry and hazard-free condition. Basement water and waste piping must be free of leaks and maintained in a safe and sanitary condition. Gas and/or water piping to furnace and hot water tank must be equipped with shut off valves within 3 feet of, and in the same room as, the appliance and be free of hazards. All gas valves must be of the quarter-turn ball valve style.

B. Basements and other parts of the structure must be free of infestation by rodents, insects, roaches, or other living organisms such as mold, which are injurious to life or health.

C. All stairways must be free of loose or damaged treads or other parts and be equipped with handrails on at least one side.

D. All plumbing fixtures must be clean and sanitary and must operate properly and be free of leaks. Backflow devices and/or expansion tanks may be required on the water piping in certain instances.

E. Bathroom floors and walls must be water resistant and in a generally safe and sanitary condition. (Ord. 8266-08. Passed 1-5-09.)

F. An operable smoke detector must be currently installed on each heated level of the structure. An additional smoke detector shall be installed in each bedroom. (Ord. 9047-13. Passed 2-19-13.)

G. Doors and windows must provide reasonable security to the occupants. Interior-keyed locking cylinders must be replaced with thumb-turn devices. (Ord. 8266-08. Passed 1-5-09.)

H. The structure must be free of electrical hazards.

1. All electrical equipment such as lights, fans, outlets, switches, etc. must be clean and in working order.

Missing globes or other miscellaneous lamp parts shall be replaced or the fixture shall be replaced.

2. The electrical service breaker panel must be properly grounded to the water service piping within five feet of the entrance to the structure and ahead of the water meter using #4 solid copper grounding conductor. The hot and cold water lines and the gas piping must be properly bonded also using #4 solid copper grounding conductor. Sizes of breakers in the panel must correspond with the wiring gauges. The maximum size of a 20-amp breaker will be permitted on a 12-gauge, 110v circuit. A maximum of a 15-amp breaker shall be permitted on any circuit using 14-gauge wiring and on all knob-and-tube circuits. Breakers in the panel shall be indexed.

3. All splices must be enclosed in a workbox. All workboxes must be equipped with covers. All unused holes in panels and workboxes must be plugged.

(Ord. 9047-13. Passed 2-19-13.)

(2) Conditions which can be found either inside or out and which deal with property and building maintenance issues:

A. All exterior property areas must be free of trash, garbage, miscellaneous debris and stored materials as well as unlicensed or inoperative vehicles.

B. Gutters and downspouts on main and accessory structures must be present and in good repair. Storm water must be disposed of properly and in a way that does not adversely impact any neighbor.

C. Masonry assemblies such as foundations, porches and stairs, chimneys and chimney caps must be sound and in good repair. Tuck-pointing and similar repairs shall be performed in a neat and workmanship-like manner with materials that match in material, color and texture.

D. Siding, window and doors and related trim, soffits and fascia, porches and all other related items on the main or accessory structures must be structurally sound and painted.

E. Windows and doors shall be properly glazed and equipped with weather stripping to prevent the intrusion of excessive drafts. At least one window in each habitable room shall be operable and shall be equipped with insect screens. Rope weights and other systems to hold windows in the open position shall operate properly.

F. Concrete walks and drives must be free of cracking and other hazardous conditions. Asphalt drives must be free of excessive cracking and damage. All drives and parking areas must be hard-surfaced. Paving in the public right-of-way, including the drive apron and the public sidewalk, must be constructed of reinforced concrete construction.

G. Roofing and siding must be free of missing or damaged sections and in a condition, which protects the structure from the effects of the weather. Repairs must match the existing surface in color, texture and size. Three or more layers of roofing on a structure are not permitted.

H. Fences, shrubbery and hedges must be maintained or trimmed in such a way as to be structurally sound and present an orderly appearance. Shrubbery and hedges shall not be permitted to extend over the edges of the public sidewalk nor shall they block the line of sight of oncoming traffic at intersections or at the end of driveways. At least 7-feet of clearance is required for tree limbs overhanging a sidewalk, and hedges/bushes adjacent to a driveway or intersection must be trimmed to a maximum height of 30-inches for the first 20-feet of driveway measuring from the edge of the public right-of-way.

(Ord. 8266-08. Passed 1-5-09.)

I. Exterior painted surfaces must be free of cracking, blistering, peeling or other signs of deterioration. The surface of interior walls and ceilings must be clean and sanitary.

(Ord. 9047-13. Passed 2-19-13.)

J. Floor coverings, including carpet and tile surfaces, must be clean and sanitary and free of stains, excess wear or damage. Kitchen and bathroom floor tile must be clean, sanitary and water resistive. Carpeting in the bathroom is not permitted. Floor surfaces must be completely free of the adverse effects of the harboring of pets.

(Ord. 8266-08. Passed 1-5-09.)

K. Kitchen and bathroom cabinets and countertops must be clean and sanitary, free of water or other miscellaneous damage and in good condition. Cabinet drawers and doors must open and close properly and must have all necessary hardware.

NOTE: The City of Bedford is a historical district made up of dwellings and other structures with a distinctive and unique architectural style. It is the intent of Bedford City Council to preserve this architectural style and detail of its existing housing stock. In the repair or alteration of a dwelling or accessory structure, particularly for the purposes of satisfying the Point of Sale requirements, existing architectural details, materials and styles shall be preserved, repaired, matched or reproduced and not removed, altered, destroyed or replaced with alternate materials.

Such Certificate of Inspection shall not be valid beyond the last day of the twelfth month following the date of issuance unless renewed prior thereto in the same manner as required for issuance of the original Certificate.

If corrections cannot be made by the seller prior to the transfer of the title, an escrow account shall be established, into which an amount of money shall be placed equal to one hundred fifty percent (150%) of the value of the uncompleted repairs or corrections. This amount shall be established by procuring at least one estimate from a company capable of performing the work and which is currently registered to work in the City of Bedford. These funds shall be disbursed only after verification from the Building Official that the work is complete. While all estimates must be reviewed by the Bedford Building Department for completeness and adequacy prior to the transfer of title, the Building Department assumes no responsibility that the amount of money held in escrow will be sufficient to finance the necessary corrections. It shall also be noted that the seller, their agents, or in specific cases when authorized by the Building Official, the buyer, shall be held responsible for the abatement of all violations regardless of the amount of money held in escrow. The Building Official shall establish on the Certificate of Inspection a reasonable time frame for the completion of the work. At the expiration date of the time period set forth in the Certificate of Inspection, the Building Official or his authorized representative shall inspect the work to determine compliance.

When it is determined by the Division of Building that a dwelling, building or structure is in compliance with the provisions of these Codified Ordinances and all other applicable rules and regulations applicable thereto, the Building Official shall issue a Certificate of Point of Sale Compliance for the premises.

(Ord. 9047-13. Passed 2-19-13.)

1311.22 CERTIFICATE OF INSPECTION; FEES.

Each application for a Certificate of Inspection shall be accompanied by a nonrefundable inspection fee in accordance with the following schedule:

Single family dwelling	\$50.00
Two family dwelling	\$75.00
Apartment, retail, office or commercial building	\$25.00 per suite, office, store or unit; minimum: \$75.00 and maximum: \$200.00

(Ord. 7215-00. Passed 3-6-00.)

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1311.28 PENALTY; EQUITABLE REMEDIES.

Whoever violates any of the provisions of this Chapter or any rule or regulation promulgated under authority of this Chapter, or fails to comply therewith or with any written notice or written order issued hereunder, shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for the first offense, and, for a second or subsequent offense, shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) or imprisoned not more than six (6) months, or both, and each day such violation occurs or continues and each violation shall constitute a separate offense.

(a) Whoever causes or permits the continuation of any violation of this Chapter or any rule or regulation promulgated hereunder or fails to comply therewith or with any written notice or written order issued hereunder, subsequent to conviction therefore, shall be liable for further prosecution, conviction and punishment upon the same order or notice without the necessity of issuing a new order or notice, until full compliance has been had on such order or notice upon which the original conviction was had.

(b) The imposition of any penalty shall not preclude the Director of Law from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance, or to restrain, correct or abate a violation, or to prevent the occupancy of a building, structure or premises, or to require compliance with the provisions of this Chapter, or other applicable laws, ordinances, rules or regulation, or the orders or determinations of the Building Inspector, the Board of Building Code Appeals and the Board of Zoning Appeals.

(Ord. 7215-00. Passed 3-6-00.)